



General Assembly

January Session, 2005

Proposed Bill No. 5612

LCO No. 988

Referred to Committee on Environment

Introduced by:

REP. STONE, 134th Dist.

AN ACT CONCERNING THE UNIFORM ENVIRONMENTAL COVENANTS ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 That the general statutes be amended to adopt the Uniform
- 2 Environmental Covenants Act, which act allows for the long-term
- 3 enforcement of clean-up controls, including, but not limited to,
- 4 restrictions on certain uses of property, protection of "caps", and
- 5 requirements for the maintenance of monitoring equipment, the terms
- 6 of which controls are to be contained in an environmental covenant
- 7 that will be binding on subsequent purchasers of the property and be
- 8 listed in the local land records.

Statement of Purpose:

To supplement existing state law regarding environmental land use restrictions to address issues including, but not limited to, applicability of such restrictions to both federal and state-led cleanups, the preclusion of the application of traditional common law doctrines that may hinder enforcement of such restrictions, and the survival of an environmental covenant despite tax lien foreclosure, adverse possession, and marketable title statutes.